

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 39-189

C# M#

Group Art Unit: 1632

Examiner: Woitach, J.

Date: May 22, 2000

BULLEID

Serial No. 09/380,377

Filed: September 16, 1999

Title: PROCOLLAGEN ASSEMBLY

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO NOTICE TO COMPLY**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00
Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 78.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$260.00 (ignore improper)				\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months)				\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00				\$ 0.00
First submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$690.00)				\$ 0.00
Second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$890.00)				\$ 0.00

☐ Please enter the previously unentered , filed

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract

☐ Statement filed herewith

-\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$240.00)

\$ 0.00

Assignment Recording Fee (\$40.00)

\$ 0.00

Other:

0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature:

*Mary J. Wilson*

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

MAY 17 2000

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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For: **PROCOLLAGEN ASSEMBLY**

\* \* \* \* \*

May 22, 2000

**RESPONSE TO NOTICE TO COMPLY**

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

This is in response to the Notice to Comply dated April 21,  
2000, in the above.

**IN THE SPECIFICATION:**

Substitute the Sequence Listing submitted herewith for that  
which was filed February 14, 2000.

**REMARKS**

Favorable consideration of this application and entry of the  
foregoing amendments are respectfully requested.

The specification has been amended to include the Sequence  
Listing submitted herewith on separate sheets. Entry of the  
Sequence Listing does not raise the issue of new matter as the

sequence information contained therein is presented in the application as originally filed. The computer readable copy of the Sequence Listing submitted herewith is the same as the attached paper copy of that Listing.

An early and favorable Action on the merits is requested.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

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